



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

GMP:BCR
F. #2009R01065

*271 Cadman Plaza East
Brooklyn, New York 11201*

February 1, 2019

By ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Joaquin Archivaldo Guzman Loera
Criminal Docket No. 09-466 (S-4) (BMC)

Dear Judge Cogan:

Pursuant to the Court's order adopting the parties' joint proposal for review of sealed and redacted documents entered on the docket in this case, see Dkt. No. 557, the government has reviewed the government filings identified with specificity in the letter of the New York Times (Dkt. No. 536).

First, the government has determined that the considerations that previously justified sealing docket entries 413, 421, 504, and 506 no longer apply – generally because the cooperating witnesses identified or referenced in those entries have now been publicly revealed – and those documents may therefore be unsealed in their entirety. The government asks the Court to direct the clerk to unseal them and enter them on the public docket.

Second, with respect to docket entries 350, 354, 375, 396, 460, and 494, the government hereby attaches those documents with partial redactions. These limited redactions are necessary (1) to protect ongoing government investigations; (2) to protect operational details about law enforcement operations and techniques, including details about witness security programs; and (3) to protect cooperating witnesses who, although they testified publicly at trial, have nonetheless taken steps to conceal their whereabouts and identities in other parts of their lives. The government has previously set forth the legal bases for partial sealing of these and other categories of information, and incorporates that discussion by reference here. See Dkt. Nos. 404, 549.¹

¹ With respect to docket entry 354, in particular, the government's redactions are consistent with the position the government previously articulated regarding redactions to that

For the reasons set forth in the government's prior submissions as well as in the underlying documents themselves, the government submits that there is sufficient rationale for the narrowly-tailored redactions to the docket entries attached hereto.

Respectfully submitted,

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cc: Clerk of Court (BMC) (via ECF)
Defense Counsel (via Email)

motion. See Dkt. No. 549 at 5-6. The government additionally notes that many of the witnesses referenced in docket entry 354 did not ultimately testify at trial.